

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Ronda A. Mettey	:	
	:	
Plaintiff,	:	<b>CASE No. <u>C-1-02 398</u></b>
vs.	:	
	:	Judge Spiegel
American Family Mutual Insurance	:	
Company, et al	:	Magistrate
	:	
Defendants.	:	<b>PLAINTIFF'S MOTION FOR EXTENSION OF TIME FOR COMPLETION OF DISCOVERY, MEMORANDUM IN SUPPORT</b>

Plaintiff by her undersigned attorney moves for an extension of the Discovery cut off date (July 13, 2004). Plaintiff has filed a Motion to Compel Production of a computer print-out, and a few other documents. Defendants' attorney having been consulted does not oppose this motion for an extension of time.

/s/ John A. Rebel  
John A. Rebel (0031771)  
Attorney for Plaintiff  
McKinney & Namei  
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**MEMORANDUM IN SUPPORT**

Subsequent to the Settlement Conference, the parties have been attempting to resolve this matter. Recently, August 4<sup>th</sup>, Plaintiff's revised proposal was not accepted. The Discovery and Dispositive Motion cut-off date is July 13<sup>th</sup>, Defendant filed its Summary Judgment Motion on July 20<sup>th</sup>. Plaintiff's reason for not filing the Motion to Compel before the cut-off date is that settlement

had seemed likely.

During January 2004, Plaintiff delivered to Defendant a computer tape with the understanding that it would be reviewed and data printed and shared. Plaintiff viewed the tape and on numerous occasions requested print-outs of certain files. Defendants have failed to provide print-outs of the computer tape files. The files evidence the nature and volume of services that Plaintiff performed. The files contain calendars and notes. These files are essential to Plaintiff's responding to the Motion for Summary Judgment. A few additional documents were requested but not provided: a survey submitted by Plaintiff, a copy of an insurance application for a member of Richard Robinson's household and Richard Robinson's district meeting agendas.

Plaintiff is filing her Motion to Compel production of the print-out of the tape, and the other documents. Plaintiff has filed a Motion to extend the response time to Defendants' Summary Judgment motion.

Plaintiff requests that the discovery time be extended for Defendants to provide requested documents.

/s/ John A. Rebel  
John A. Rebel (0031771)  
Attorney for Plaintiff

#### **CERTIFICATION OF SERVICE**

The undersigned hereby certifies that the foregoing Motion is served upon Geraldine Johnson, Attorney for Defendants, by ordinary mail and electronic transmission to Roetzel & Andress, 250 E. 5<sup>th</sup> Street, Suite 310, Cincinnati, Ohio, 45202 on this 6<sup>th</sup> day of August 2004.

/s/ John A. Rebel  
John A. Rebel (0031771)  
Attorney for Plaintiff